

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**UNITED STATES OF AMERICA and the
STATE OF TENNESSEE ex rel. JEFFREY
H. LIEBMAN and DAVID M. STERN, M.D.**

Relators,

v.

**METHODIST LE BONHEUR
HEALTHCARE, METHODIST
HEALTHCARE-MEMPHIS HOSPITALS,
THE WEST CLINIC, PLLC d/b/a WEST
CANCER CENTER, WEST PARTNERS,
LLC, LEE SCHWARTZBERG, M.D.,
ERICH MOUNCE, CHRIS MCLEAN,
GARY SHORB, AND JOHN DOES 1-100,**

Defendants.

Case No. 3:17-CV-00902

**District Judge William L.
Campbell, Jr.**

**Magistrate Judge Barbara D.
Holmes**

JOINT CASE RESOLUTION STATUS REPORT

Pursuant to the Court's Case Management Order #2 entered on May 7, 2020 (Dkt. No. 102), Relators Jeffrey H. Liebman and David M. Stern, M.D. ("Relators") and Defendants Methodist Le Bonheur Healthcare, Methodist Healthcare-Memphis Hospitals, Gary Shorb, Chris McLean ("Methodist Defendants"), The West Clinic, PLLC d/b/a West Cancer Center, West Partners, LLC, Lee Schwartzberg, M.D., and Erich Mounce ("West Defendants") (collectively, the "Parties"), hereby file this Joint Case Resolution Status Report and state as follows:

Relators and Methodist Defendants have exchanged written discovery requests and are in the process of completing responsive document productions. Both have also issued third-party subpoenas for the production of documents and are awaiting responses. Relators and Methodist Defendants are continuing to engage in discovery and have discussed generally the potential for resolving this matter. However, counsel for Relators and Methodist Defendants believe that

additional discovery is required in order to engage in substantive and meaningful settlement discussions that could resolve the claims at issue. Relators and Methodist Defendants anticipate engaging in good faith settlement discussions as the matter progresses.

The Relators and the West Defendants have engaged in productive settlement discussions and those discussions are ongoing. Certain potential settlement terms are subject to approval by the United States and State of Tennessee under the federal and state False Claims Acts and discussions with these government entities are ongoing. Relators and the West Defendants anticipate making a full report to the Court by October 30, 2020.

DATED: September 30, 2020

Respectfully submitted,

/s/ Brian D. Roark

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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been served upon counsel, via the Court's CM/ECF e-mail notification system, on this the 30th day of September, 2020:

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